

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON EDUCATION**

**Call to Order:** By **CHAIRMAN KATHLEEN GALVIN-HALCRO**, on March 9, 2005 at 3:45 P.M., in Room 137 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Kathleen Galvin-Halcro, Chairman (D)  
Rep. Joan Andersen, Vice Chairman (R)  
Rep. Gary Branae, Vice Chairman (D)  
Rep. Edward B. Butcher (R)  
Rep. Margaret H. Campbell (D)  
Rep. Tim Dowell (D)  
Rep. Wanda Grinde (D)  
Rep. Roger Koopman (R)  
Rep. Bob Lake (R)  
Rep. Joe McKenney (R)  
Rep. Holly Raser (D)  
Rep. Scott Sales (R)  
Rep. Jon Sonju (R)  
Rep. Dan Villa (D)  
Rep. John Ward (R)  
Rep. Jeanne Windham (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Chris Lohse, Legislative Branch  
Eddye McClure, Legislative Branch  
Linda Keim, Committee Secretary

**Please Note.** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing & Date Posted: SB 101, 3/2/2005  
Executive Action:

**HEARING ON SB 101****SEN. TRUDI SCHMIDT, SD 11, GREAT FALLS****Opening Statement by Sponsor:**

**SEN. TRUDI SCHMIDT** opened the hearing on **SB 101**, a bill to require registration of youth residential therapeutic programs. She said a concern about residential treatment programs came in addressed to Department of Health and Human Services Director Gail Gray that was brought to the interim committee for Children's Health and Human Services. It was decided to register the programs, see how many were in the state and work toward licensure. She noted that there is concern about having that Department involved in either regulation, registration or licensure. She stated Montana is one of only a few states that have residential treatment programs and they should be licensed. She also felt that there should be a requirement to be licensed.  
**{Tape: 1; Side: A; Approx. Time Counter: 0 - 10}**

**Proponents' Testimony:**

**Mary Dalton, Administrator, Quality Assurance Division, Department of Public Health and Human Services (DPHHS)**, gave a background of therapeutic residential schools and programs. She presented and read written testimony. She also passed around "Unregulated Youth Residential Care Programs in Montana" and a statement by Ralph E. Thayer, PhD. that cites lack of oversight.  
**EXHIBIT(edh52a01)**

**{Tape: 1; Side: A; Approx. Time Counter: 10 - 20.7}**

**Bob Runkel, Director, Special Education, Office of Public Instruction (OPI)**, said that he is representing Superintendent Linda McCullough and they support SB 101. He stated that OPI's primary focus and concern is child safety and welfare. He said they receive both in-state and out-of-state inquiries about these programs and they would like to be able to respond that Montana does license those programs and there is a provision for oversight of those programs. He said that most states require licensing and regulation and Montana may be the only western state that does not have some form of licensure. He stated, "Well-run therapeutic schools or programs have staff that are screened, trained and certified, and will accept youth into their program with issues that the program has experience in working with." He said they are concerned about the small number of programs that do not meet those standards. He noted that it has been difficult for them to even identify how many programs or how many kids there are. He said they want safety and security for the kids and that is the motivation behind the bill.

**{Tape: 1; Side: A; Approx. Time Counter: 20.7 - 25.2}**

**Kimberly Gardner, Administrator, Alternative Youth Adventures,** said that two years ago they stopped operating Aspen Youth Alternatives, a wilderness and residential program they had run for seven years under contract for the State. They served 120 children a year for seven years and all children were Montana children placed by the court. She stated that their State funding was lost and there was no way to pay for Montana kids to access a wilderness or a mid-level type of intervention program. She stated that when the State is a child's guardian they aren't going to place children in an unlicensed, unregulated program and will send the kids out-of-state. She commented, "The kids aren't welcome in private programs." She said she could not continue her program without a license, so she wanted to create a licensing category offering Montana kids a way to change their life and use Montana resources. She stated that DPHHS has the expertise to help the kids and is working with all the providers in the state.

**{Tape: 1; Side: A; Approx. Time Counter: 26 - 31.2}**

**Jani McCall, Montana Childrens Initiative Provider Association,** stated support and said they are concerned about the safety of youth. Their 19 members provide in-home and out-of-home children's mental health services and child welfare services. She said she spoke with one of the program representatives and they have excellent programs. She said that the value of SB 101 is to have a working group made up of a majority of the representatives from these programs look at the issues to see how they can improve services and protect kids.

**{Tape: 1; Side: B; Approx. Time Counter: 0 - 2.4}**

**Anita Roessmann, Attorney, Montana Advocacy Program (MAP),** said they are part of the Protection and Advocacy System which is a legal advocacy program for people with disabilities. She explained that the MAP program began in the 1970s with testimony about the conditions in developmentally-disabled facilities; it then began to investigate conditions where the mentally ill were treated. The conclusions in both cases were that both groups of people can be vulnerable to abuse. She said they have no idea what is going on in therapeutic group homes, how many there are, or what kind of information the kids are given if they get into trouble. She said, "These are kids with emotional disturbance and mental illness and love is not enough, nor is plain old common sense or having had a good upbringing yourself; it takes a lot of skill. When kids don't get the proper care and the safety they need, it can lead to death or a tragic loss of an opportunity in their lives that will never come again." She said that parents think the facilities are being regulated but the

providers that are jumping state lines and otherwise running away from regulation in other states know better. She urged the Committee to let DPHHS do this study and come forward with a proposal.

**John Madsen, Citizen, retired employees of DPHHS,** spoke in support of the bill.

**{Tape: 1; Side: B; Approx. Time Counter: 2 - 5.5}**

**Opponents' Testimony:**

**REP. PAUL CLARK, HD 13,** said his district houses about 15 of the residential programs. He stated there is a better alternative to this bill in HB 628. He said that he put a lot of work into his program, Galena Ridge. He asked, "Are we capable of self-regulating and making sure that the programs coming from out-of-state or those developed within the state have the kind of quality control we are talking about so the kids are safe and the parents are safe?" He stated that the Committee needs to make that decision. He stated that none of the programs in HB 628 accept any funding from the State. He said they take Montana kids with contracts from their parents, and last year his program took two kids from his district free-of-charge. He stated that there is a lot going on that isn't heard about from the critics.

**{Tape: 1; Side: B; Approx. Time Counter: 4.9 - 10.3}**

**SEN. JIM ELLIOTT, SD 7,** said that he is an opponent because he feels that DPHHS is an inappropriate agency to regulate the program. He said the agency is huge and it is easy for things to get lost within that department and for responsibility to be avoided because of the size of the department. He also suggested that DPHHS needs to establish a relationship of confidence and trust with the program they will be regulating.

**{Tape: 1; Side: B; Approx. Time Counter: 10.3 - 14.3}**

**Matt Thiel, Attorney representing Spring Creek Lodge,** said he has been to DPHHS' presentations and was an adviser to Spring Creek during their working group sessions. He stated that this led to HB 628 and recommended a no-pass vote on SB 101. He said that HB 628 has involved a cooperative effort from government, legislators, and representatives from private programs. He said these are private businesses that accept no public funding, no Medicare reimbursement, and no services like the programs just heard from. He stressed that these are completely different programs that serve parents based on a constitutional right to determine the upbringing of your children. He explained that they find a service that fits a family's particular need through private contract and available resources.

Mr. Thiel said the programs are not opposed to regulation. He predicted there would be about 65 pages of regulation in SB 101, with almost no input from the programs. There will be no control once SB 101 is passed because the regulatory phase will take over and put the rules together. He suggested that the way to get quality and ensure a viable industry is to do it through the Department of Labor with a board system that is used to working with and regulating private industry and private programs, taking appropriate input and understanding what the programs are, and then passing appropriate regulations that meet all the necessary safeguards. He stated that the key to these programs is the idea of parental control; they are not placed in the programs by any court order and they are not under foster care. He emphasized, "It is none of the things DPHHS has expertise in. These programs serve a different, specific purpose that needs to be regulated in a careful way."

***{Tape: 1; Side: B; Approx. Time Counter: 14.3 - 21.3}***

**Rachel Romano, Spring Creek Lodge Academy,** said she is 22 years old and told about her life of negative behaviors in Los Angeles. She said that when she was 15 she dropped out of high school and was living in the back of a truck and injecting heroin and cocaine every day. She had tried alternative schools and UCLA's Neuro-Psychiatric Institute and nothing worked until they heard about Spring Creek Lodge. She stated she was enrolled there for 22 months and was able to turn around the relationship with her family. She gained self-awareness and self-respect to stop the negative behaviors and has since graduated from Georgetown University with a degree in English and a minor in French and Culture and Politics. She said that she is currently co-authoring a book with her mother about her story. She is opposed to SB 101 because regulating according to a medical model would prohibit these schools from creating the innovative and effective solutions they have been able to so far.

**Penny James, Explorations,** said she has a degree in Secondary Education and has 15 years of experience in the field. She said they are a company that started from the grass roots. She voiced confidence in all the programs represented in the room and said they are proud of their differences and their ability to be unique and creative. She said that HB 628 will allow the creativity to continue because it will allow experts in the field to be part of the process as they move toward the regulation and licensure they all want. She stated, "SB 101 does not include their say-so in this and we do know what we are doing."

**Stephani White, Chrysalis School,** voiced opposition to the bill.

**Christina Johnson, Chrysalis School,** stated opposition.

**Mary Alexine, Chrysalis School**, said she is co-founder and co-director of Chrysalis School in Eureka and stated opposition.

**Mickey Manning, Principal, Spring Creek Lodge Academy**, said that she opposed the bill.

**Dr. John Santa, co-owner of Montana Academy; President, National Association Therapeutic Schools (NATS)**, voiced opposition and felt they can regulate themselves.

**Ranel Hanson, Monarch School**, voiced opposition to SB 101.

**Brandee Della-Silva, Spring Creek Lodge**, stated opposition.

**Pat McKenna, founder of Monarch School**, opposed SB 101.

**Ron Mendenhall, Principal, Monarch School**, stated opposition.

**Jacqueline Rutzke, Spring Creek Lodge**, said that she is an art teacher and administrative team member there and voiced opposition.

**Mike Chism, Program Administrator, Spring Creek Lodge**, stated opposition to SB 101.

**{Tape: 1; Side: B; Approx. Time Counter: 21.3 - 28}**

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

**REP. WARD** asked Mr. Madsen if being a concerned citizen was his only interest in the bill. **Mr. Madsen** said he has been an advocate for kids in Montana for 30 years. He has been a child protection worker at the State level and has investigated deaths in foster homes, group homes, child care agencies and in-state institutions knowing that really bad things happen even in the regulated programs. He said some of the programs represented at the Hearing have the same kinds of issues. He stated, "If they have children and adults together there are concerns, the State has an oversight responsibility for those kids."

**REP. WARD** asked Mr. Madsen if he was associated with a youth alternative program. **Mr. Madsen** said he works for one, but he is testifying on his own time.

**REP. BUTCHER** noted that the people Mr. Madsen was referring to were wards of the State and the other group has the parents making the decisions. He asked if they were comparing apples and

oranges. **Mr. Madsen** said there are differences between the programs. He stated that he is the Admissions Director for Aspen Youth Adventures (AYA) and gave the example that they take private-pay kids in their program.

**{Tape: 1; Side: B; Approx. Time Counter: 28 - 31.9}**

**REP. BUTCHER** asked if it was correct that one program has parents who made the choice to go to a program that does not have the model they would be forced into with SB 101. **Mr. Madsen** said it is wrong to assume that bill registration will force a model on these programs. He said the AYA Back-Country Program that they operated for seven years was far from a medical model. He did not agree that it is apples and oranges, and said that the State has some oversight responsibility for kids who are placed in State programs.

**REP. BUTCHER** asked if in following this model all kids should be under State supervision even if the parents want to send them to a camp, to make sure no one runs into a problem. **Mr. Madsen** thought the State had a responsibility to have oversight for children who are placed out of the parent's home and are living in residence for significant periods of time. He noted that all children who are in daycare in Montana are in licensed or registered homes. He stated that the State has oversight for public educational facilities as well as in private educational facilities where State funds are spent.

**{Tape: 2; Side: A; Approx. Time Counter: 0 - 4.8}**

**REP. BUTCHER** asked Mr. Madsen if he was saying that in any private, no-government-involvement program the State should still have the right to step in. **Mr. Madsen** said that is a decision that the Committee needs to make and he has a different opinion. He commented that education money is being used in many of these programs and suggested asking the program representatives how much educational assistance they receive.

**REP. BUTCHER** asked for an itemized list of what State money any of these programs are getting. **Mr. Madsen** stated that his recommendation was to ask them if they are receiving educational money from the State or from school districts.

**REP. BUTCHER** asked Dr. John Santa, Montana Academy if they receive any State money. **Dr. Santa** said they have 80 students and they are all private-pay. They accept no money from the state that he is aware of.

**REP. BUTCHER** asked the audience if anyone in these programs receives any State money. **Mickey Manning, Principal of Spring Creek Lodge Academy**, said, "I do not know where this gentleman is

getting this information. We do not receive State aid, we are privately funded."

**CHAIRMAN GALVIN-HALCRO** referred the question about State funding to Mr. Runkel. **Mr. Runkel**, said he was not aware of any OPI programs meeting the definition in this bill that receive direct State aid in the form of dollars. He stated that they may receive some indirect benefit in the form of those children who happen to attend public school while they are receiving their placement or services. Or, the public school may be sending some staff to those programs.

**{Tape: 2; Side: A; Approx. Time Counter: 4.8 - 7.7}**

**REP. LAKE** asked **REP. CLARK** to describe the different types of programs. **REP. CLARK** said that the programs are very different. Galena Ridge is an outdoor program with a specialty in wilderness. They do "outward bound" trips with back packing and are out-of-doors for about 90 days living under tarps, traveling by canoe, or doing a service project with the Forest Service and other local service projects. Some programs are totally in-house and have an education component, a therapeutic component, and may or may not have an outdoor component. Small "hybrid" programs of 5-20 kids may do a wilderness program during the summer and have a residential component during the school year. He noted that some of those kids may go to public school. There are also faith-based programs affiliated with a local church.

**REP. LAKE** asked if the wide spectrum of programs that are offered are designed to fit what the parents want their child to experience and help them through a difficult time in their life. **REP. CLARK** affirmed, and said that most parents will look at numerous programs before committing to one.

**REP. LAKE** asked **REP. CLARK** if he received State aid in his program. **REP. CLARK** said he has never received State aid in his program and has never taken any State-sponsored kids. He stated that he supports the program that has the State-sponsored kid that he recently introduced to the Committee as a whole.

**{Tape: 2; Side: A; Approx. Time Counter: 7.7 - 14.1}**

**REP. LAKE** referred to the proposed working group and asked whether any programs are registered residential therapeutic schools. **Ms. Dalton** said, "No, the bill would require all schools to register and membership would be selected from there."

**REP. WINDHAM** asked **SEN. SCHMIDT** if the bill would cover faith-based Pine Haven Christian Children's Ranch. She explained that they have been affiliated with the St. Ignatius Christian Church since the early 1980s and have six or seven homes with house



parents and a separate school. They accept no money from the children they take in and accept no public money. **SEN. SCHMIDT** asked to defer the question to Ms. Dalton. **Ms. Dalton** said that if the program advertises themselves as providing supervision and structure for youth and they are not already licensed, they would be included in the definition to be registered. The bill seeks to determine who needs to be licensed and in what category.

**REP. WINDHAM** asked **REP. CLARK** about the differences in HB 628.

**REP. CLARK** stated that HB 628 doesn't say they will go to licensure; it will look at all the parameters and make a recommendation. He noted that amendments will be added.

*{Tape: 2; Side: A; Approx. Time Counter: 14.1 - 19.2}*

**REP. ANDERSEN** asked **SEN. ELLIOTT** if he was comfortable with assurances given by proponents of HB 628 that they are providing a safe environment for the students they have. **SEN. ELLIOTT** said that he was very confident of the safety of the environment.

**REP. ANDERSEN** said that one of these programs is located in her district and asked if there was a plan to include every program that fits into this category in determining whether they need to have regulation or licensing. **SEN. ELLIOTT** asked to defer the question. **REP. CLARK** said there is a definition of alternative programs in HB 628. Everyone that fits the definition would qualify. He noted that an amendment was added that would exempt the faith-based organizations that are adjunct to a certified facility in Montana.

**REP. ANDERSEN** asked about the proposed amendments on HB 628.

**REP. CLARK** spoke about the amendments.

**REP. WARD** objected that they needed to restrict testimony to SB 101 and **CHAIRMAN GALVIN-HALCRO** acknowledged by asking the Representatives to limit their comments.

**REP. ANDERSEN** asked **REP. CLARK** if he was confident of the safety of the programs. **REP. CLARK** said most of the programs in his district are high-quality programs and the kids are safe. He noted that there is always room for improvement. He stated that he would like to explore the programs he does not know and get information about them also.

*{Tape: 2; Side: A; Approx. Time Counter: 19.2 - 26.9}*

**REP. KOOPMAN** asked **SEN. SCHMIDT** about the numerous youth programs coming into Montana because Montana is unlicensed. **SEN. SCHMIDT** noted a February 12, 2005 article in the Idaho Spokesman Review that stated a move being made because Montana is unlicensed. A

June 3, 2003 article in The Missoulian covered Hope Ranch, a Christian rescue program for troubled teen girls in south-central Washington. The school's budget could not keep up with regulators and moved to Montana in 1995 "where rules regarding curriculum are nearly non-existent." She said that House of Barnabas came from Wyoming to Montana because they did not meet Wyoming requirements for private group homes to employ a director with a bachelor's degree. A December 8, 2003 article covered Clearview Horizons' move to Herrin, Montana. The Idaho Department of Health said they opened without licensure and were denied licensure. She said that she has a 52-page report listing the reasons for denial and DPHHS has received at least one written complaint since they moved to Montana. Their website still shows the program's address as Sandpoint, ID.

**{Tape: 2; Side: A; Approx. Time Counter: 25.3 - 31}**

**REP. KOOPMAN** referred to a concern about parents choosing programs in Montana that have no credibility and asked if there were any certain ones. **SEN. SCHMIDT** said she could not give any by name. She said the reason to pursue licensure is for the safety of the children and for parents to know that certain requirements have been met.

**REP. KOOPMAN** asked if this bill is a solution in search of a problem or if there are specific problems that can be identified with the people they want to regulate. **SEN. SCHMIDT** said it is a problem in search of a solution. She said this is a proactive thing to allow credibility and integrity to good programs. She said, "I don't want it to be said that you can't trust anything in Montana because they don't have a license for any of these behavioral programs."

**{Tape: 2; Side: B; Approx. Time Counter: 0 - 4.4}**

**REP. KOOPMAN** asked Dr. Santa what ways the National Association of Therapeutic Schools (NATS) creates standards or self-regulation that is important in the marketplace. **Dr. Santa** said NATS spent the last six years perfecting and developing ethics and practice standards, and that all members are asked to follow them. He said NATS has 11 members in Montana. He stated that they are in a position to lend that expertise to this board and help create standards.

**{Tape: 2; Side: B; Approx. Time Counter: 4.4 - 6.6}**

**REP. RASER** asked Mr. Runkel if he testified on HB 628. **Mr. Runkel** said he did not personally testify. He stated that Bud Williams represented OPI and was an Informational Witness.

**REP. RASER** asked if OPI preferred to have the registration and licensure handled by DPHHS or by Department of Labor. **Mr. Runkel**

said they feel that DPHHS is best equipped to deal with child safety issues.

**REP. RASER** asked Ms. Dalton how they will follow-up if a private school doesn't self-report their registration. **Ms. Dalton** stated they did not know how many schools there were when they started. She said there is no enforcement if they don't register.

**REP. RASER** asked whether the bill requiring registration might not succeed. **Ms. Dalton** stated if either of the bills are passed people that will want to be at the table, and that will be part of the incentive for all of them to register and be included.

**CHAIRMAN GALVIN-HALCRO** asked Mr. Thiel whether insurance companies cover any of these programs. **Mr. Thiel** stated he did not know the answer but they are entirely privately funded with a contract between the parent and the program. It would be up to the parents and the type of insurance coverage they had as to whether it would cover payment.

**CHAIRMAN GALVIN-HALCRO** asked about the "cram down of a medical model" that was referred to in earlier testimony. **Mr. Thiel** said it is the approach DPHHS used in bring forward their bill and the way they are used to working with the organizations they regulate. He stated that it is also the existing rules for publicly-funded wilderness program.

*{Tape: 2; Side: B; Approx. Time Counter: 6.6 - 13.3}*

**CHAIRMAN GALVIN-HALCRO** referred to meetings in Great Falls and Kalispell when the former Director of DPHHS said there would be no bill brought forward this session and asked what prompted this bill to be brought forward. **Ms. Dalton** said that it was because of concerns they received from parents, concerns brought forth at public meetings and concerns voiced at the interim committee. She stated that part of it has to do with the definition. She said, "This bill requires mandatory registration and an interim study. I can't read Director Gray's mind but it doesn't bring forth a licensure bill, and I believe that is what she was speaking to."

**CHAIRMAN GALVIN-HALCRO** asked **REP. CLARK** what he saw happening if both bills move forward. **REP. CLARK** said he had not considered that and wasn't sure.

**CHAIRMAN GALVIN-HALCRO** asked if the bad actors would be preempted from doing what they are doing today, whichever bill moves forward. **REP. CLARK** said, "No. There are always going to be bad actors." He stated that the way this moves forward is a policy issue and whether the programs can do this adequately. He said

he did not know of any other state that has a board of this nature but there are other states with these programs that are regulated by DPHHS. He stated, "The programs are here because they think they are the best ones to do it and they want to try."

**Closing by Sponsor:**

**SEN. SCHMIDT** closed and said it would be best if everyone could work together for the betterment of these programs in the state. She said it is unusual for the Department of Labor to be involved, but it comes down to a lack of trust and confidence in DPHHS. She said she hoped everyone could mend some fences and work together toward what is best for all of these programs. A February 12, 2005 Idaho Spokesman-Review article and a November 22, 2004 TIME article were entered into the record.

**EXHIBIT** (edh52a02)

***{Tape: 2; Side: B; Approx. Time Counter: 13.3 - 19.2}***

**REP. RASER** asked and received permission to have copies of HB 628 made for the Committee. The Secretary will take care of that.

**EXECUTIVE ACTION ON SB 198**

**Motion:** **REP. BRANAE** moved that SB 198 BE CONCURRED IN.

**Discussion:**

**REP. BUTCHER** noted that he has a lot of correspondence on this bill and said he would like to table the bill.

**CHAIRMAN GALVIN-HALCRO** stated she was not going to recognize the motion at this time and asked for further discussion.

**REP. WINDHAM** said it is fair to say that harassment, bullying and intimidation occurs and asked if it was the Legislature's job to address the issue. She questioned whether there was any policy that prevents a school district from adopting a harassment policy. She noted that Polson School District has adopted a stringent policy that includes sexual orientation and said that is up to Polson. She said she believes that it is a local issue. She commented that Mr. Meloy testified that they had not been given the opportunity to adopt a global policy and felt they should be given that opportunity before anyone steps in.

***{Tape: 2; Side: B; Approx. Time Counter: 19.2 - 24.6}***

**REP. CAMPBELL** said the category section is where the heartburn is and noted that non-Indian children are bullied in her predominantly Indian school. She would like to see the bill amended to take out the categories and leave harassment and

bullying in. She agreed that the ability to develop policies is there, but said that if schools aren't doing it, then it is up to the Legislature.

**REP. WARD** discussed being bullied as a child.

**{Tape: 2; Side: B; Approx. Time Counter: 24.6 - 31}**

**REP. SALES** said he opposed the bill and noted that the Legislature can't dictate human nature.

**REP. BRANAE** stated that he did not believe in bullying, but this was the wrong time and place to get involved. He would like to wait and see if the approach taken by the Association of using models will work.

**REP. WINDHAM** said she specifically asked Mr. Meloy if there were any districts that refused to adopt a global policy and he said no. She suggested, "As a Committee we could send a letter to Steve Meloy inviting him to do what he said he was not asked to do before and set some sort of policy." She would like to let him do that. She was not in favor of the Legislature being involved this year.

**REP. RASER** asked Ms. McClure if it would be possible to amend this so that it is like a resolution requesting the Board of Public Education to pursue adding a policy about safe schools.

**Ms. McClure** said this bill is very specific and it contains the language "...requires the school board to adopt."

**REP. RASER** asked about requiring the Board of Public Education to add that to the policies required of school districts. **Ms.**

**McClure** said she will check on the request.

**REP. RASER** discussed the arguments that the policy is not needed because schools can already do it and stated that it is obvious some schools are not. She said, "Teaching people appropriate civil behavior is part of the solution too."

**{Tape: 3; Side: A; Approx. Time Counter: 0 - 7.5}**

**REP. BUTCHER** noted that he, too, was bullied in grade school and said that these things are usually resolved at a local level. He felt there would be a problem with tattle-tales if this were put into Statute.

**REP. DOWELL** said he had attended two workshops on bullying in the last year and is involved in a weekly program with sixth and seventh graders discussing issues and doing role plays. He stated that bullying only happens when one person has perceived power over another. He said, "To say that each individual

district should deal with this is like saying all our communities have criminal problems, so we should all set up our own criminal laws." He stressed that bullying is a serious issue and said he supports the bill.

**{Tape: 3; Side: A; Approx. Time Counter: 7.5 - 13.4}**

**REP. GRINDE** said she supports the bill. She said that policies against harassment are needed and is agreeable to REP. RASER's suggestion.

**CHAIRMAN GALVIN-HALCRO** supports the bill. She said that her students trust her and she works hard to enforce the policies, but bullying goes on all the time even with many eyes watching the children.

**CHAIRMAN GALVIN-HALCRO** asked REP. BRANAE to withdraw his motion and requested further action by REP. CAMPBELL and REP. RASER to make sure something is put into place so everyone feels safe coming to school. She said this is not something new and it came forward last session, but the Board of Public Education did nothing.

She suggested that everyone call and ask their local school district if they have a policy in place and if they would fax it. She also asked them to have their local school districts do a survey of students and parents at the end of the school year to find out if the students in each home district feel safe in their school. She said her school building does that and more than 30% of the children do not feel safe coming to school every day.

**REP. BRANAE** withdrew his motion.

**CHAIRMAN GALVIN-HALCRO** adjourned the meeting.

**{Tape: 3; Side: A; Approx. Time Counter: 13.4 - 20.3}**

**ADJOURNMENT**

Adjournment: 6:05 P.M.

REP. KATHLEEN GALVIN-HALCRO, Chairman

LINDA KEIM, Secretary

KG/lk

Additional Exhibits:

**EXHIBIT ([edh52aad0.PDF](#))**